

November 20, 2014

California Fish and Game Commission
1416 Ninth Street, Room 1320
Sacramento, CA 95814

By email to: fgc@fgc.ca.gov

SUBJECT: Petition from the Center for Biological Diversity to list the Tricolored Blackbird (*Agelaius tricolor*) as an Endangered Species under the California Endangered Species Act (pursuant to Section 2073.3, Fish and Game Code) and possible adoption of emergency regulation to add Tricolored Blackbird (*Agelaius tricolor*) to the list of Endangered Species (pursuant to Section 2076.5, Fish and Game Code)

REFERENCE: Fish and Game Commission meeting agenda December 3, 2014

Dear Commission Members:

I am a lead biological scientist with the Biological Monitoring Program of the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). The MSHCP plan area covers 1.2 million acres of land from the eastern slopes of the San Jacinto Mountains to the western county line, an area that includes the entire extent of the Tricolored Blackbird's distribution in Riverside County. I have been leading and conducting annual monitoring surveys for Tricolored Blackbirds (a species covered by the MSHCP) throughout this area since 2009, and in the Central Valley prior to that. Combined, I have more than 10 years of experience in the field, observing and monitoring this species.

The following is based on an analysis I conducted using the results of our surveys along with data from other structured state and region-wide surveys conducted since 1997 for all southern California counties within the species range (available online through the Tricolored Blackbird Portal). 1997 was the first year that an effort was made to conduct thorough surveys in southern California. Subsequent surveys were conducted in 2000, 2005, 2008, and every year since. Survey protocols were nearly identical in all years. Survey effort has only increased over time, to the extent I believe that those conducted from 2008 onward constitute accurate censuses.

Plots of total counts from surveys clearly show that western Riverside County has remained the stronghold for the southern California population over the last 20 years (Figure 1). I explain the apparent change observed in 2014 below. It is also clear from this figure that the southern California population has declined exponentially since 1997. The magnitude of change, as large as it is, is likely to have been much greater in reality given the enhanced survey efforts that began in 2008.

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The overall trend is dominated by Riverside County where the population has remained below 5,000 since 2005. Total numbers have declined by 89% since 1997 and 66% since 2005. Numbers in San Diego County have remained relatively constant throughout this period, but very low. The species has all but disappeared from Orange County and the Los Angeles basin and occurs sporadically in San Bernardino County. Ventura County is not represented in this figure because no colonies have been reported from there since 1993.

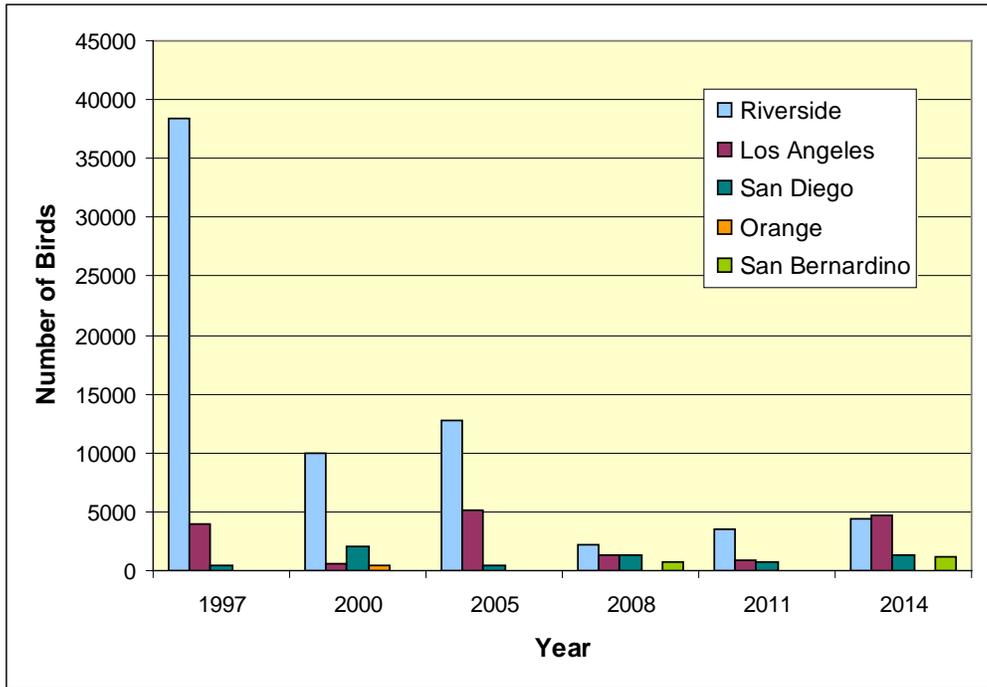


Figure 1. Total numbers of Tricolored Blackbirds observed in southern California counties during state-wide surveys conducted at the peak of the breeding season between 1997 and 2014.

An earlier letter to the Commission suggested that the southern California population was doing relatively well, based on the 2014 statewide survey report of an increase of 126% in this region between 2008 and 2014 (regions were defined by county boundary lines). However, such a magnitude of change cannot be accounted for by local reproduction and recruitment. On closer examination, it is apparent that the increase occurred predominantly in northern Los Angeles County, and specifically the Mojave Desert area between the San Gabrielle Mountain range and the Kern County border. 4,500 birds were reported from Holiday Lake alone versus 840 in all of Los Angeles County in 2011. Holiday Lake is only 45 linear miles from the city of Bakersfield in the southern San Joaquin Valley and only slightly further through the Tehachapi Pass. The number of birds in this part of the species range, which also includes colonies in the high desert area of San Bernardino County, has varied between survey years from approximately 600 to 6,000. However, the data reflect no concomitant changes south of the Transverse Range which suggests that these fluctuations are local and do not impact population dynamics in the rest of southern California. The most plausible explanation for the changes observed in Los Angeles and San Bernardino Counties throughout the history of the surveys examined is occasional and

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temporary influx of birds from the Central Valley. I believe therefore that the Mojave Desert portion of the species distribution properly belongs to the Central Valley population and that the southern California population is doing very poorly.

We have detected an average of only five colonies per year throughout all of western Riverside County between 2005 and 2014. During this time, we have discovered only five new colony sites, not including two dairies in the San Jacinto Valley. All of these new colonies were very small, with an average of 146 birds (range 30-250). The great majority of breeding Tricolored Blackbirds in Riverside County have been associated consistently with a single colony (Figure 2). In most years, this colony has occurred in the San Jacinto Valley, but the precise location has varied from year to year. In 2005, the largest colony included 10,000 birds and was located in a field of weeds in the San Jacinto Wildlife Area. In 2006, it was half this size and located in a triticale field at a nearby dairy (this is the colony referred to by Drew Feldman in his letter to the Commission on November 19). In 2011, the largest colony consisted of only 3,000 birds and was located in a weed field at another dairy near the Wildlife Area.

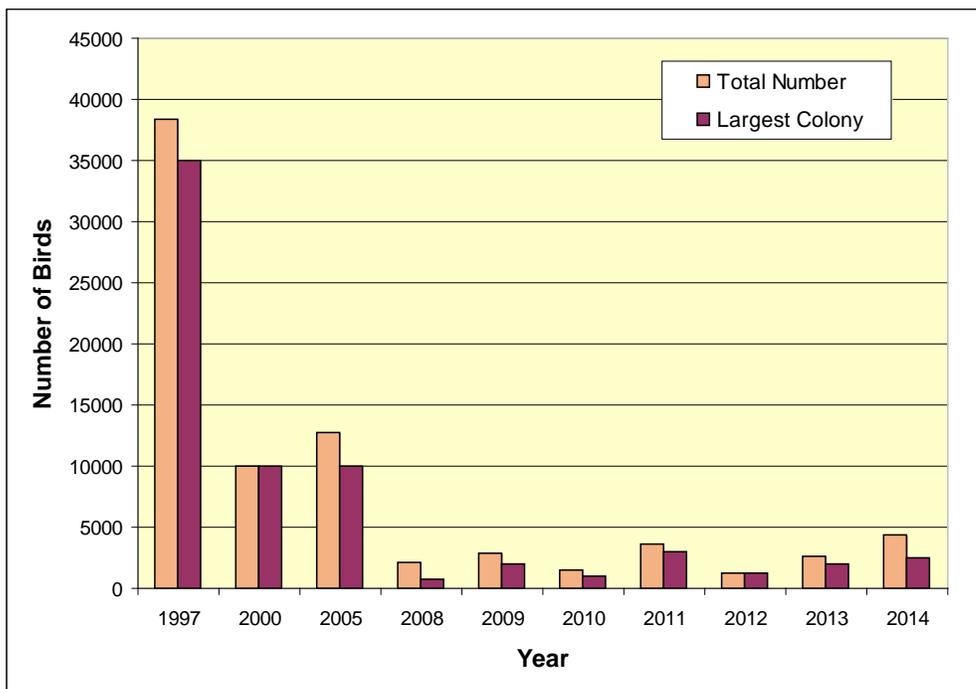


Figure 2. Total number and largest colony of Tricolored Blackbirds in western Riverside County observed during region-wide surveys conducted at the peak of the breeding season between 1997 and 2014.

The San Jacinto Valley is under intense development pressure and much of the current foraging habitat for breeding and wintering Tricolored Blackbirds, including the dairies, is at great risk of loss. What is more, the occupancy of few colony sites, the concentration of most birds into a single colony, and the variable location of this colony makes this species especially vulnerable to disturbance and stochastic variation in the quality of both nesting and foraging habitat, and underscores the importance of protecting all suitable colony sites whether recently occupied or not. In 2013 the largest colony in Riverside County (and southern California) suffered complete

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reproductive failure when the grain field the colony occupied was harvested following a failure to negotiate a crop buyout from the dairy owner. In 2014, the largest colony, located at a created wetland in the San Jacinto Valley, abandoned its nesting site approximately two weeks after settlement, presumably due to insufficient food resources.

Continuing threats to the Tricolored Blackbird in Riverside County and elsewhere in southern California include the following.

- Commercial and residential development and the concomitant loss of suitable nesting and foraging habitat
- Complete reproductive failure due to harvest of occupied crop fields
- Lack of commitment to seek opportunities to enhance nesting and foraging habitat and increase opportunities for successful reproduction

I share some of the concerns expressed by Dan Airola in his July 24, 2014 letter to the Commission. Since 2005, Riverside colonies have been located primarily on private land, and there is a risk that nesting substrate could be legally removed in the non-breeding season. On the other hand, listing could make funding available to managers of protected areas who wish to enhance habitat for Tricolored Blackbirds but lack the financial resources. Overall, I believe that a listing would do more good than harm to the species in Riverside County and southern California as a whole, and that continued survival is unlikely without such protection. Ideally, a listing would be followed by financial incentive programs to encourage private landowners to maintain and enhance breeding habitat, similar to the Natural Resources Conservation Service's (NRCS) Environmental Quality Incentives Program which provides funds to farmers to protect Tricolored Blackbirds nesting in agriculture fields.

It is absolutely necessary to protect all colonies of Tricolored Blackbirds nesting in agricultural fields. This is a relatively infrequent occurrence in Riverside County compared to the Central Valley, but when it happens, it involves the majority of the regional population. I believe that chances for successful cooperation with land owners would be improved if activities such as pasture maintenance, alfalfa harvesting, and cattle grazing on active foraging habitat, normal agricultural practices that do not involve the removal of nesting substrate, were not considered take. The largest colonies in Riverside County have depended on these resources whether nesting on private or public lands in the vicinity of agriculture. Allowing activities such as these could reduce the impacts of a listing on land owners and would cause little impact to the birds. Incentives to encourage farmers to delay harvest of alfalfa or hay fields until nesting is completed, or to utilize harvest methods that leave strips of crop standing in the field, a methods often employed for natural biological control, would benefit both Tricolored Blackbirds and beneficial insects, which also may provide financial benefits to farmers. In Riverside County, the NRCS might be especially effective in outreach and education as it already has a strong and positive relationship with local farmers.

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Sincerely,

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